

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**CLYDE BENNETT, JR. and WILBUR
CHARLES BENNETT
Plaintiffs,**

vs.

**T-N-T TRUCKING OF PIONEER
LOUISIANA, LLC, RONALD DYES,
II, STEVEN G. MCCARTER and
WALTER E. PEARCE
Defendants.**

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**CIVIL ACTION NO. 2:18-CV-00048
JURY**

STIPULATION OF DISMISSAL

COME NOW Plaintiffs, Clyde Bennett, Jr. and Wilbur Charles Bennett ("Plaintiffs") and, pursuant to Federal Rule of Civil Procedure 41(a)(1)(a)(ii), notify the Court of the parties' stipulation of dismissal of the instant action against Defendants T-N-T Trucking of Pioneer Louisiana, LLC, Ronald Dyes, II, Steven G. McCarter and Walter E. Pearce. In support, Plaintiffs respectfully show the Court the following:

Federal Rule of Civil Procedure 41 provides, in relevant part, as follows:

FRCP 41. DISMISSAL OF ACTIONS

(a) Voluntary Dismissal.

(1) By the Plaintiff.

(A) Without a Court Order. Subject to Rules 23(e), 23.1(c), 23.2 and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

(ii) a stipulation of dismissal signed by all parties who have appeared.

(B) Effect. Unless the notice or stipulation states otherwise, the dismissal is without prejudice.

FED. R. CIV. P. 41. As indicated by the signatures below, all parties who have made an appearance herein have stipulated to Plaintiffs' voluntary dismissal of this action without prejudice to refile of same.

Respectfully submitted,

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By: /s/ Brent Goudarzi

Brent Goudarzi
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Marty Young
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ATTORNEYS FOR PLAINTIFFS

AGREED AS TO FORM AND SUBSTANCE:

/s/ Jessica L. Craft

William R. Moye

Jessica L. Craft

*Attorney for Defendants T-N-T Trucking of Pioneer
Louisiana, LLC and Ronald Dyes, II*

/s/ W. Todd Parker

W. Todd Parker

Attorney for Defendant Steven G. McCarter

/s/ Shawn M. Stewart

Shawn M. Stewart

Attorney for Defendant Walter E. Pearce

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Stipulation of Dismissal was forwarded to the following counsel of record by the method indicated below this 30th day of July, 2018:

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